

INFORMAL SETTLEMENT AGREEMENT



Employer: _____ Inspection No. _____
Address: _____ Issuance Date: _____

Pursuant to an informal conference between duly authorized representatives of the Virginia Occupational Safety and Health Program, Department of Labor and Industry, and the employer named above, the Department has issued an Amended Citation modifying the original citation referenced above. As consideration for the modification of the terms of the original Citation(s), the Employer hereby:

- _____ (1) Waives its right to contest any terms of the Citation as amended.
- _____ (2) Withdraws its Notice of Contest filed in this matter and waives it's right to contest the Citation as amended.

1. The Employer agrees to pay the remaining penalty as per the amendment to the citation.
2. The Employer agrees to correct the violations as cited in the attached amendment to the citation.
3. The Employer agrees to immediately post a copy of this Informal Settlement Agreement and to immediately post a copy of the Citation(s) as amended alongside the original Citation(s) in a prominent place at or near the location of the violation(s) and to keep these items posted until each violation item of the amended Citation(s) has been completely corrected, or for three (3) working days (excluding weekends and State Holidays), whichever is longer.
4. If not already provided, the Employer agrees to provide to the Department within _____ days of the effective date of this agreement documentation verifying abatement of each violation affirmed in this agreement. The documentation shall comply with §307.E.2. of the Virginia Occupational Safety and Health (VOSH) *Administrative Regulations Manual* which states that "Documents demonstrating that abatement is complete may include, but are not limited to, evidence of purchase or repair of equipment, photographic or video evidence of abatement or other written records."

This agreement shall not be construed as an admission by the employer of civil liability for any violation alleged by the Commissioner. Under Va. Code §40.1-51.3:2., the fact of the issuance of a citation under Chapter 3 of Title 40.1 of the *Code of Virginia* will not be admissible in evidence in the trial of any action to recover for personal injury or property damage sustained by any party. This agreement may be used for future enforcement proceedings and enforcement actions pursuant to Title 40.1 of the *Code of Virginia*.

Employer Representative

Date

For VOSH Compliance

Date

Note: Employees should refer to the bottom of the Citation for explanation of Employee rights.